

Guidelines for Independent Educational Evaluation Independent Evaluator

Qualifications

- The independent evaluator must be certified or licensed by an accredited professional organization or agency that is recognized within the State of Texas representing his or her profession.
- The independent evaluator must meet the district's minimum qualifications for district personnel who perform the type of evaluation that will make up the IEE. If the independent evaluator wishes to use additional persons to perform the IEE, each one of those persons must meet the district's criteria for performing his or her part of the IEE. The independent evaluator will provide the district with the credentials and qualifications of each person who may administer a portion of the IEE.
- The independent evaluator must meet the qualifications and training requirements to administer, score, and interpret the evaluation instrument(s) utilized during the IEE as specified by the test publisher.
- The independent evaluator must be located within the district's geographical area and within a 25-mile radius of the district administration building.
- The independent evaluator must comply with all state and federal requirements, the Code of Ethics for his or her professional licensing agency, and remain fully licensed and/or certified during the evaluation and reporting process.
- The independent evaluator must meet all state law and district policy requirements concerning criminal history record information.

Evaluation

- The independent evaluator shall conduct an evaluation that provides relevant information and recommendations that directly assist the ARD/IEP committee in determining the disability and/or educational needs of the child.
- The independent evaluator shall use only the most current version of each age appropriate assessment instrument utilized for the IEE.
- The independent evaluator shall use assessment instruments that are chosen on the basis of their relevancy to the educational questions to be addressed by the evaluation.
- The independent evaluator shall review the student record, including the results of the evaluations conducted by the district.
- The independent evaluator shall not knowingly utilize sooner than recommended in the test publisher's guidelines the same version of an assessment instrument or measure that was used in a previous assessment of the child.

- The independent evaluator shall not use any single measure or assessment as the sole criterion for determining whether a child has a disability or for determining an appropriate educational program for the child.
- The independent evaluator shall select and administer assessment instruments so as not to be discriminatory on a racial or cultural basis.
- The independent evaluator shall provide and administer assessment instruments in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally unless it is not clearly feasible to do so.
- If the student has been exposed to a second language, the evaluation must include assessment of language dominance and proficiency, and the results must be utilized to determine the appropriate language for the remainder of the evaluation.
- The independent evaluator shall use assessment instruments that are used for the purposes for which the assessments or measures are valid and reliable.
- The independent evaluator shall select and administer assessment instruments or measures that are tailored to assess specific areas of educational need and not merely those that are designed to provide a single intelligence quotient.
- The independent evaluator shall use assessment instruments that are selected and administered so as to best ensure that if an assessment is administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude, achievement level, or other factors the test purports to measure rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).
- In order to address educational need, the independent evaluator must include an observation of the student in an educational setting and interview with school staff if student observation and/or staff interviews would be included in an evaluation performed by the district.
- The independent evaluator will follow all evaluation guidelines in IDEA, its implementing regulations, the Texas Education Code, and the Texas Administrative Code.

Written Report

- The independent evaluator shall provide an original signed written report of findings and test protocols to the district within forty-five (45) school days from the date the public agency authorizes the IEE. That report shall contain the following:
 - a. Date(s) when evaluation activities were conducted
 - b. A list of all information/data reviewed
 - c. A complete summary of all test scores along with subtest scores of the tests administered

- d. A complete summary of all information obtained or reviewed from observations, interviews, and other non-standardized assessment instruments
 - e. A discussion and interpretation of test results
 - f. Full and complete information that addresses the presence or absence of those symptoms or conditions included in the specific eligibility criteria according to federal and state regulations. The report shall include the type and severity of the impairment and the functional implications for the educational process. The report must provide the ARD Committee with sufficient information to determine whether or not the student meets the federal and state eligibility criteria, whether the student has a disability that requires the provision of special education services to the student, and if so, information that is sufficiently comprehensive to identify all of the student's special education and relates service needs, whether or not commonly linked to the student's disability category.
- All personnel involved in the evaluation shall sign the report.

Specific Learning Disability

- When determining the presence of a specific learning disability (SLD), the independent evaluator must follow the model adopted by Houston ISD.
- Houston ISD has adopted the scientific, research-based model of determining a pattern of strengths and weaknesses to identify SLD. This model requires multiple components, including the following:
 - a. The presence of a significant academic deficit that is supported by four sources of data (informal, criterion referenced, curriculum based, and norm referenced). It is assumed that supplemental interventions have been conducted in a systematic fashion and progress monitoring has shown that the student is not making sufficient academic progress consistent with age and grade-level expectations despite appropriate academic instruction and tiered interventions.
 - b. There must be a significant, normative cognitive processing deficit. This is usually accomplished by evaluating the cognitive areas both broad and narrow as identified in the Cattell-Horn-Carroll (CHC) model of cognitive abilities.
 - c. There is an empirical relationship between the cognitive processing disorder and the academic deficit. This linkage is important because the cognitive processing disorder is the presumed primary cause of the academic deficit.
 - d. The relationships occur within the context of an adequate cognitive ability profile. Definitions of SLD recognize the critical importance that the student has adequate overall cognitive ability.
 - e. The academic achievement is unexpected given the student's profile of both cognitive and academic capabilities.

- f. The processing deficit is domain specific. This reflects the importance of the cognitive impairments being different from the other cognitive areas.
- In order to determine a pattern of strengths and weaknesses, a variety of data sources must be used.

Cost and Funding

- Payment for the IEE shall occur only after the district has received the final written report of findings from the independent evaluator meeting the IEE criteria and the original protocols and work documents (observation notes, interview notes, etc.) that were utilized in the evaluation.
- The independent evaluator shall be available in person or electronically (e.g. telephone conference call, interactive video) to discuss results of the IEE with the ARD/IEP Committee.
- The district has no obligation to pay for assessment and/or services the independent evaluator provides after the IEE's completion.
- The district has no obligation to pay for assessments outside the mutually agreed to parameters of the IEE.
- If the independent evaluator has a sliding scale fee based on the parent or legal guardian's income or a reduced rate for privately funded evaluations, the district will pay the amount normally charged to the parent or legal guardian.
- The district will not pay unreasonable charges for an IEE. An unreasonably excessive fee is one that is more than 25% above the prevailing fees in the Greater Houston area as established in the Medicaid/Medicare Service Provider Manual for the specific evaluation being considered.